

THE GRAVEL ROAD

Facts Concerning the London & Port Stanley Road.

On the 26th of September, 1850, an order was passed by the Executive Council and approved by His Excellency the Governor-General the same day, transferring the London and Port Stanley gravel road between London and Port Stanley, and that between London and the boundary line of the county of Oxford and Delaware bridge to the county of Middlesex for the sum of £4,500, payable in debentures at ten years date, bearing 5 per cent. interest. This vested the right of the road in the county of Middlesex.

In 1853, after the division of the counties, a meeting was held by a joint committee to adjust the debt between the two counties. Preparatory to the dissolution, a resolution was carried that in apportioning the cost of the county road between London and Port Stanley between the two counties, the original cost of and repairs to the road up to January, 1853, be divided according to the number of miles in each county, and also in apportioning the tolls between the respective counties that each be credited with the amount of toll received at the different gates in the county. The total amount paid by the county of Elgin to the county of Middlesex, as per this agreement, was the sum of £10,000; of this \$8,220 was for that part of the gravel road within the county of Elgin.

During the years 1853, 1854, 1855 and 1856 the county retained possession of the road, and collected \$3,459 toll, and expended in repairs, etc., \$5,015, leaving a deficit of \$1,556, or \$6,224. This, added to the amount paid to the county of Middlesex, shows a balance as against the road of \$11,444.

On the 16th day of February, in the year 1857, the county council leased all of the roads, bridges, culverts, toll houses, toll barns, and all rights and privileges and appurtenances of the same to Robert Hepburn, of the township of Yarmouth, for 199 years from the said date, for the sum of \$1,010, or \$16,400, payable during twenty years, with interest at 5 per cent. The last payment was made on the 23rd day of January, 1876; the total payments, principal and interest, amounted to \$25,180.

About the year 1875 or 1876 some members of the county council ascertained that the county of Middlesex did not pay to the Dominion Government the amount provided for in order-in-council above referred to, and believing that, as the county of Middlesex had not paid for the road, they should refund to the county of Elgin the amount charged therefore in said settlement of debt at the dissolution of the counties. Considerable correspondence was entered into between the two counties, and on one occasion a meeting of joint committees was held, and the county of Elgin agreed to accept the principal sum of \$8,220 in settlement of their claim against Middlesex. The Middlesex committee reported that they were not in favor of refunding the money, that they were still liable to the Government, and would pay over the amount when called upon by the Government. The matter was brought before the Local House by Mr. Hodgins, then member for West Elgin, and an investigation made as to the exact position of the account between the Government and the county of Middlesex, but owing to the change that arose by the Confederation of the Provinces and the transfer of the documents relating to each province, particulars in reference to the accounts were not forthcoming. The county council, at a later date, consulted the late James Bethune, Q.C., of Toronto, who advised them that the

county of Elgin had no claim against the county of Middlesex, that the county of Middlesex might be called upon to pay the amount at any time. This ended the dispute between the two counties in reference to the amount paid for the London and Port Stanley gravel road.

Various committees have been appointed from time to time to consider the advisability of purchasing the lease of the gravel road from the lessee, and removing the toll, and at the June session of the county council the report of a special committee appointed to enquire into the advisability of purchasing the London and Port Stanley gravel road was presented, amended in committee of the whole and adopted as follows: "That his council pay one half the purchase money for the London and Port Stanley gravel road; providing the municipalities of Yarmouth and Southwold and the city of St. Thomas make up the other half, and provided the road can be bought at a reasonable price, not to exceed \$14,000, and that the latter be laid over until the November session to give the representatives of the interested municipalities time to confer with their constituents and with the owners of the road, and that Bayham pay one third and the county the balance of the cost of their road.

In looking through an index of the statutes for any possible legislation effecting this road, I find that on the 12th of May, 1863, an act was passed to continue in the corporation of the county of Elgin the management and control of that portion of the London and Port Stanley road lying within the limits of the city of St. Thomas, so that it is possible that if the tolls are removed without an express agreement from the city of St. Thomas in reference to the maintenance of their share of the roads and bridges with the corporation, the same as if the act had not been passed, the county might still be required to wholly maintain said roads and bridges.

Statement showing the position of the gravel road account considering compound interest on the receipts and payments from the year 1857 up to and including the year 1891.

Amount paid county of Middlesex.....	\$8,220
Deficit in toll road expense account at time of sale in 1857.....	6,224
Total cost of county when sold.....	14,444

This calculated at 5 per cent. compound interest for 34 years, 1857 to 1891, amounts to \$75,831.

Amount to be paid under lease \$16,040.
This calculated at 5 per cent. compound interest for 34 years, 1857 to 1891, amounts to \$84,210.

Leaving a balance in favor of the road of \$8,379, which represents the amount with interest added that the county has received from the road. This, of course, should be credited to the different municipalities each year in same proportion as the said county rates.

The average proportions paid by the townships of Yarmouth and Southwold during said 34 years is about three-eighths of whole county rate so that these townships have received \$3,141 of amount to credit of the road account, leaving a balance of \$5,238 divided among the remaining municipalities.

K. W. McEAY,

County Clerk.

St. Thomas, Aug 13, 1892.